

TRUSTEESHIP
COUNCILCONSEIL
DE TUTELLET/23/Add.1
27 April 1947

ORIGINAL: ENGLISH

PETITIONS: TANGANYIKA

DELEGATION OF THE UNITED KINGDOM: COMMENTS ON PETITIONS FROM GERMANS
RELATING TO TANGANYIKA (T/PET.2/1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23)

1. At the Twentieth Meeting of the First Session of the Trusteeship Council, held on 21 April 1947, the United Kingdom Representative undertook to obtain certain further information about certain classes of Germans whom it is intended to repatriate to Germany. Reference is invited in this connection to pages 56 and 57 and to page 126 (last eleven lines) of the Verbatim Record of the meeting (T/P.V.20).
2. As explained in T/23 and at the Twentieth Meeting, the Germans who are to be repatriated fall into two main categories:
 - A. Those who are to be repatriated on grounds of enemy activities or sympathies of various kinds; and
 - B. Those who are to be repatriated on the grounds that they are not regarded personally as desirable residents in Tanganyika.
3. Category A may be sub-divided as under:
 - A. (i) Persons associated with enemy espionage, sabotage or similar activities;
 - (ii) Persons who participated in anti-Allied or pro-Nazi activities such as propaganda, or the organization of local German nationalistic associations;
 - (iii) Persons whose activities served to maintain German commercial or national interests or influence, whether or not such persons worked directly against Allied interests.
4. The total in Category A is approximately 878 of whom all but 24 are in
/sub-categories

sub-categories (1) and (11). The 24 persons in category A (iii) are persons such as HUMMEL (T/PET.2/12) who, although claiming to be "Anti-Nazis" nevertheless did further German national or commercial interests in the Territory. All these 24 persons had mortgaged their properties in Tanganyika to a Company which was, like the USAGARA Company to which reference has been made in T/23, primarily a Nazi organization. This other Company was named "The General Investment and Development Company". The persons in Category A (iii) could therefore with equal justification have been classified under A (ii) as Nazi sympathizers.

5. No German is being repatriated solely on account of his nationality. That has been the basis of United Kingdom policy not only in regard to Tanganyika but generally. In this connection it can be stated that D. J. H. Garten (T/PET.2/11) has, like A. Burger (T/PET.2/1) now been granted permission to remain in Tanganyika, and he has been so informed. Those who are being repatriated and who do not fall into any sub-category or Category A are all persons in Category B who are considered undesirable on personal grounds irrespective of their German nationality.

6. Category B

In deciding whether any particular individual is "undesirable" on personal grounds, the same criteria are being followed as would render a person liable to deportation under the Expulsion or Undesirables Ordinance No. 15 of 1930, although, as already explained, the action is being taken under Royal Prerogative and not under the Ordinance. The criteria, as set out in Section 2 (1) of the Ordinance, are:

"(a) if the person has been convicted of any offence punishable by imprisonment without the option of a fine and the court recommends that an expulsion order should be made against him either in addition to or in lieu of sentence; or

"(b) if the Governor-in-Council deems it to be conducive to the public good or advisable in the interests of public morals that such

/an order

an order should be made."

7. The provision under (b) of Section 2 (i) of the Ordinance is wide, but in practice the Germans whom it is proposed to repatriate under the Royal Prerogative on the analogy of deportation all fall into one of the three following sub-categories:

B. (i) Persons with criminal records (c.f. clause (a) in the Ordinance)

There are 2 men in this category

(ii) Persons with anti-African bias

There are 3 persons in this category, one being a man.

(iii) Persons likely to become destitute and a charge on public funds

There are 70 persons in this category, 20 men, 45 women and 5 children. The large preponderance of women likely to be unable to earn their living in the territory is worth noting. The Allied Control Commission is being asked to give particular attention to these persons in Category B (iii) on arrival in Germany.

8. To sum up, the 1250 (approximate) Germans involved can be accounted for as under:

A. Repatriable on account of Nazi sympathies or activities of various kinds:

(i) Espionage, sabotage or similar activities)		
(ii) Propaganda etc.)	854
(iii) Commercial etc. activities)	(approximate)
		24
		878
		378

B. Repatriable on individual grounds which would have rendered the persons liable to deportation:

(i) Criminal records	2
(ii) Anti-African bias	3
(iii) Likely destitutes	70
	75
	75

C. Not being sent to Germany:

(i) South African Dutch	43	
(ii) Others (approximately)	254	
	<u>297</u>	297
		<u>1250</u>
